

### **DETAILED ACTION**

This communication is related to a restriction on the instant application.

#### ***Election/Restrictions***

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim 1, drawn to a Pedal Powered Vehicle.

Group II, claims 2, and 12, drawn to a Pedal Powered Vehicle with a seat and active front suspension.

Group III, claim 3, drawn to a Pedal Powered Vehicle with active front suspension.

Group IV, claims 4, 5 and 10, drawn to a Pedal Powered Vehicle with active rear suspension and a drive transmission.

Group V, claim 6, drawn to a Pedal Powered Vehicle with three or four wheels.

Group VI, claims 7, and 8, drawn to a Pedal Powered Vehicle with tilting and adjustable steering.

Group VII, claim 9, drawn to a Pedal Powered Vehicle with an adjustable crankset.

Group VIII, claim 11, drawn to a Pedal Powered Vehicle with an adjustable seat.

2. The inventions listed as Groups I to VIII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Claim 1, which is generic to all of the invention groups herein listed, does not contain a special technical feature which constitutes an inventive step over prior art. French patent 910287, filed 11/10/94, teaches a vehicle with a chassis comprising a central beam and where the user's feet are enclosed within the frame. US Patent 6015022, filed 05/01/1977, also

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teaches a vehicle with a central beam chassis. US Patent 5551719, filed 12/28/1994, teaches a pedal-powered vehicle with a steering column attached to its chassis. US Patent 6588785, filed 05/14/01, teaches a pedal-powered vehicle where the user's feet are inside the chassis frame while pedaling. US Patent 6726438, filed 07/29/02, teaches a chassis design with stacked, horizontal members. US Patent 4534575, Filed 10/18/82) shows a vehicle with wheels attached to a chassis, with suspension and steering.

3. A telephone call was made to **Mr. Benoit Castel** on **May 1, 2008** to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK CENTOLANZI whose telephone number is (571) 270-5791. The examiner can normally be reached on Monday - Thursday, 7:30 AM - 5:00 PM; Selected Fridays, 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on (571) 272-6782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PATRICK CENTOLANZI  
Examiner  
Art Unit 4165

PMC 05/07/08

/Lynda Jasmin/  
Supervisory Patent Examiner, Art Unit 4165